

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

HOWARD T. LEDDEN,

Civil No. 06-2332 MJD/SRN

Plaintiff,

v.

ORDER

MICHELLE SMITH, TERRIL FLORCYK,
MARY PEREZ, LINN M. DINGLE and
KRISTIN RISH,

Defendants.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated August 31, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiff's application for leave to proceed in forma pauperis, (Docket No. 2), is **DENIED**;
2. This action is **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1);
3. Plaintiff is required to pay the unpaid balance of the Court filing fee, namely \$341.68, in accordance with 28 U.S.C. § 1915(b)(2); and
4. The dismissal of this action shall be counted as a "strike" against Plaintiff for purposes of 28 U.S.C. § 1915(g).

DATED: September 29, 2006

s / Michael J. Davis
Michael J. Davis
United States District Court Judge